

## **MANSFIELD TOWNSHIP COMMITTEE MEETING**

**October 14, 2020**

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

This meeting was held in person and on the Zoom platform. The Township Committee and the public were able to remotely hear the meeting audio.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Salute to the flag was done by all.

### **APPROVAL OF THE MINUTES**

Mr. Hayes made a motion to approve the September 23, 2020 Regular Session Minutes, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mrs. Mora Dillon made a motion to approve the September 23, 2020 Executive Session Minutes, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

### **BILL LIST**

Mrs. Mora Dillon made a motion to approve the October 14, 2020 Bill List, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino

## **CLERK'S REPORT**

Ms. Hrebenak reported:

State House Commission – Ms. Hrebenak attended the virtual meeting on Tuesday. Approval of the Rockport Barn. \$20.00 for a 20-year contract.

Recreation Property Farm Lease Bid – Bids were received and opened today. Award went to the farmer who is presently leasing - \$151.00 per acre for a total of \$7,050 per year.

Electric Supplier Service Agreement – No bids have been received. Deadline was today. The present company has an issue with some of the wording in the current bid.

Mt. Bethel Church Architect – Next phase package is being worked on by the Architect.

Airport Road – Ms. Hrebenak will discuss with Mr. Kastrud for the bid package to be put together to put it out to bid.

CCA – Alternate funding to municipalities. Application needs to be completed and a resolution needs to be passed. Funds go to counties that did not receive funds.

Building Opening – Guidance from the Governor's office on building openings will be forthcoming.

Old Business – This item will now be listed on the agenda. Committee decided it will be listed on the Committee agenda only.

## **FINANCE REPORT**

Mrs. Mollineaux reported:

2019 Audit – The auditor will make a presentation tonight on the results of the audit.

3<sup>rd</sup> Quarter Revenues – A spreadsheet has been included in the Committee packet for the 3<sup>rd</sup> quarter of this year and last year. All is in good shape. Shortfall in court revenues is minimal and absorbed by other areas that have increased such as interest on investments.

Corrective Action Plan – Needs to be approved by the Committee after tonight's audit presentation.

## **PRESENTATION**

2019 Audit Report – Tom Ferry presented the report.

Due to a technical problem, the meeting had to be restarted.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Corrective Action Plan: Mrs. Mollineaux drafted a letter for shared services to be sent out on October, 15, 2020.

### **EMPLOYEES' REPORTS**

Free Bench – Mrs. Fascenelli reported the Green Team has collected and delivered plastic bags for another free Trex Bench. They will begin repacking and weighing more plastic that has been collected for another bench.

Memorial Bench – Chief Reilly explained that the wife of Thomas Roth wanted to put a bench under the tree that was planted in honor of her husband. Committee liked the idea. Mrs. Mora Dillon suggested putting a plaque on the bench.

### **ENGINEER'S REPORT**

Mr. Kastrud reported:

Heiser and Watters Road – additional paperwork will be submitted tomorrow.

Airport Road – plans are complete. Mr. Kastrud and Ms. Hrebenak to get into standard boiler plate for municipalities.

Meadows Flow – Mr. Kastrud has not received the sewer flow from the Meadows' environmental engineer, but has received the amounts from Bill Hotz of 30-40 gallons. New Jersey American Water is going to do readings from a few houses. To date, 43 houses are sold with 11 in construction. The Club House limit was at 60 and they are at 54.

### **PUBLIC PORTION**

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

### **RESOLUTIONS**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Financial Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

**WHEREAS**, the members of the governing body has personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Township Committee of the Township of Mansfield, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Dena Hrebenak, Municipal Clerk of the Township of Mansfield, Warren County, New Jersey do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mansfield Township Committee at the Regular meeting held on October 14, 2020.

Mr. Hayes made a motion to approve Resolution 2020-144, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

**RESOLUTION 2020-145  
TOWNSHIP OF MANSFIELD**

**WARREN COUNTY, NEW JERSEY**

**WHEREAS**, there exists a need for the service of an In-Rem Foreclosure Attorney in the Township of Mansfield to handle the tax sale certificate foreclosures: and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:1 1-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, in the County of Warren as follows:

1. The agreement with Keith A. Bonchi, Esq. with the Attorney Office of **Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, and Gill** is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:1 1-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law. A copy of the Agreement is on file for inspection with the Clerk of the Township of Mansfield.
2. A notice of this action shall be printed once in the official Township newspaper.
3. This Contract shall not exceed \$21,000.00.

Mrs. Mora Dillon made a motion to approve Resolution 2020-145, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

**RESOLUTION 2020-146**

**RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE  
OF A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF  
COMMUNITY AFFAIRS, DIVISION OF LOCAL GOVERNMENT  
SERVICES IN THE AMOUNT OF \$66,961.00 FROM THE LOCAL  
GOVERNMENT EMERGENCY FUND TO REIMBURSE  
FOR COVID-19 RELATED EMERGENCY EXPENDITURES  
DURING THE PERIOD OF MARCH 1, 2020 THROUGH DECEMBER 30, 2020**

**WHEREAS**, the State of NJ, Department of Community Affairs, Division of Local Government Services has awarded Mansfield Township \$66,961.00 from the Local Government Emergency fund:

**WHEREAS**, the grant will be to reimburse for necessary and unexpected expenditures necessitated by the covid-19 pandemic:

**WHEREAS**, the grant covers the period of March 1, 2020 through December 31, 2020.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Warren that the Mayor and registered Municipal Clerk are authorized to

execute the grant agreement and other required documents.

Mr. Hayes made a motion to approve Resolution 2020-146, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

## **ORDINANCES**

### **First Reading**

#### **Ordinance No. 2020-13**

**AN ORDINANCE TO AMEND CHAPTER 360 "ADMINISTRATION AND PROCEDURES," ARTICLE III "ADMINISTRATION," SECTION 14 "HEARINGS" AND CHAPTER 362 "SUBDIVISION AND SITE PLAN REVIEW," ARTICLE III "MAJOR SUBDIVISION," SECTION 16 "PUBLICATION OF DECISION" OF THE CODE OF THE TOWNSHIP OF MANSFIELD REQUIRING APPLICANTS TO PUBLISH NOTICE OF DECISIONS.**

**BE IT ORDAINED**, by the Township Committee of the Township of Mansfield, in the County of Warren and State of New Jersey, as follows:

**SECTION 1.** Chapter 360, Administration and Procedures, Article III, Administration, Section 14, Hearings, Subsection I, is hereby amended to read as follows:

"§ 360-14(I) Upon adoption of a resolution for an application for development, the Applicant shall publish a brief notice of the Board's decision within ten (10) days of the adoption of the resolution in the official newspaper of the Township or in a newspaper of general circulation in the Township and provide proof of publication of notice to the Secretary of Board. If an applicant fails to publish notice as herein required or provide proof of publication within thirty (30) days of the adoption of a resolution, the Secretary of the Board shall publish such notice, the cost of which shall be charged against the applicant's escrow. The period of time in which an appeal of the decision may be made shall run from the first publication of the decision, whether arranged by the Township or the applicant."

**SECTION 2.** Chapter 362, Subdivision and Site Plan Review, Article III, Major Subdivision, Section 16, Publication of decision, is hereby amended to read as follows:

“§ 362-16 Publication of decision. A brief notice of the decision shall be published in the manner provided in § 360-14(I).”

**SECTION 3.** This Ordinance may be renumbered for codification purposes.

**SECTION 4.** All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

**SECTION 5.** In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

**SECTION 6.** This Ordinance shall take effect upon passage and publication as required by law.

Mr. Hayes made a motion to approve the first reading of Ordinance 2020-13 with a second reading on November 10, 2020, at 7:30 pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

### **EXECUTIVE SESSION**

Mayor Watters announced moving into Executive Session at 7:48 pm.

Mr. Hayes made a motion to go into Executive Session, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery stated the Executive Session discussion will include:

- Contractual matters dealing with:

- Fire department
- PBA
- Officer retirement
- Personnel
- DPW part time

### **RETURN FROM EXECUTIVE SESSION**

Return from Executive Session at 8:15 pm.

Mr. Hayes made a motion to return to Regular Session, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery announced the return from Executive Session at 8:19 pm where they discussed:

- Contractual matters dealing with:
- Fire department
- PBA
- Officer retirement
- Personnel
- DPW part time

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

### **COMMITTEE REPORTS**

Mrs. Mora Dillon made a motion to adjourn at 8:19 pm.